

Kennedy (MA)	Millender-	Smith, Adam
Kennedy (RI)	McDonald	Snyder
Kennelly	Miller (CA)	Tauscher
Kilpatrick	Mink	Thompson
Klink	Moakley	Tierney
Lantos	Nadler	Torres
Levin	Neal	Towns
Lewis (GA)	Oberstar	Turner
Lowey	Obey	Velazquez
Maloney (NY)	Olver	Vento
Markey	Owens	Waters
Matsui	Payne	Watt (NC)
McCarthy (NY)	Rangel	Waxman
McGovern	Rodriguez	Wexler
McNulty	Rush	Weygand
Meehan	Sabo	Woolsey
Meek	Skaggs	Wynn
	Slaughter	Yates

NOES—311

Aderholt	Emerson	Latham
Allen	English	LaTourette
Army	Ensign	Lazio
Bachus	Etheridge	Lewis (CA)
Baesler	Everett	Lewis (KY)
Baker	Ewing	Linder
Baldacci	Fattah	Lipinski
Ballenger	Fawell	Livingston
Barcia	Foglietta	LoBiondo
Barr	Foley	Logren
Barrett (NE)	Forbes	Lucas
Bartlett	Ford	Luther
Barton	Fox	Maloney (CT)
Bass	Franks (NJ)	Manzullo
Bentsen	Frelinghuysen	Martinez
Bereuter	Gallegly	Mascara
Berman	Gekas	McCarthy (MO)
Bilbray	Gibbons	McCollum
Bilirakis	Gilchrist	McCreery
Blagojevich	Gillmor	McDade
Bliley	Gilman	McDermott
Blumenauer	Goode	McHale
Blunt	Goodlatte	McHugh
Boehlert	Goodling	McInnis
Boehner	Gordon	McIntosh
Bonilla	Goss	McIntyre
Bono	Graham	McKeon
Borski	Granger	McKinney
Boyd	Green	Menendez
Brady	Greenwood	Metcalf
Brown (CA)	Gutierrez	Mica
Bryant	Gutknecht	Miller (FL)
Bunning	Hall (TX)	Minge
Burr	Hamilton	Molinari
Burton	Hansen	Mollohan
Buyer	Hastert	Moran (KS)
Callahan	Hastings (WA)	Moran (VA)
Calvert	Hayworth	Morella
Camp	Hefley	Murtha
Campbell	Herger	Myrick
Canady	Hill	Nethercutt
Cannon	Hilleary	Neumann
Capps	Hilliard	Ney
Cardin	Hinojosa	Northup
Castle	Hobson	Nussle
Chabot	Hoekstra	Ortiz
Chambliss	Holden	Oxley
Chenoweth	Hoolley	Packard
Christensen	Horn	Pappas
Clement	Hostettler	Parker
Coble	Houghton	Pascrell
Coburn	Hulshof	Pastor
Collins	Hunter	Paul
Combest	Hutchinson	Paxon
Condit	Hyde	Pease
Cook	Inglis	Peterson (MN)
Cooksey	Istook	Peterson (PA)
Cox	Jackson (IL)	Petri
Cramer	Jenkins	Pickering
Crapo	Johnson (CT)	Pickett
Cubin	Johnson, Sam	Pitts
Cunningham	Jones	Pombo
Danner	Kanjorski	Pomeroy
Davis (FL)	Kasich	Porter
Davis (VA)	Kelly	Portman
Deal	Kildee	Poshard
Diaz-Balart	Kim	Price (NC)
Dickey	Kind (WI)	Pryce (OH)
Dicks	King (NY)	Quinn
Dixon	Kingston	Radanovich
Dooley	Klecza	Rahall
Doolittle	Klug	Ramstad
Doyle	Knollenberg	Redmond
Dreier	Kolbe	Regula
Duncan	Kucinich	Reyes
Dunn	LaFalce	Riggs
Edwards	LaHood	Riley
Ehlers	Lampson	Rivers
Ehrlich	Largent	Roemer

Rogan	Sherman	Tauzin
Rogers	Shimkus	Taylor (MS)
Rohrabacher	Shuster	Taylor (NC)
Ros-Lehtinen	Sisisky	Thomas
Rothman	Skeen	Thornberry
Roukema	Skelton	Thune
Roybal-Allard	Smith (MI)	Thurman
Royce	Smith (NJ)	Tiahrt
Ryun	Smith (OR)	Traficant
Salmon	Smith (TX)	Upton
Sanchez	Smith, Linda	Visclosky
Sandlin	Solomon	Walsh
Sanford	Souder	Wamp
Sawyer	Spence	Watkins
Saxton	Spratt	Watts (OK)
Scarborough	Stabenow	Weldon (FL)
Schafer, Dan	Stearns	Weldon (PA)
Schumer	Stenholm	Weller
Scott	Stokes	White
Sensenbrenner	Strickland	Whitfield
Serrano	Stump	Wicker
Sessions	Stupak	Wise
Shadegg	Sununu	Wolf
Shaw	Talent	Young (FL)
Shays	Tanner	

NOT VOTING—18

Archer	Ganske	Sanders
Bateman	Leach	Schaffer, Bob
Crane	Manton	Schiff
DeLay	Norwood	Snowbarger
Fowler	Pallone	Stark
Frank (MA)	Pelosi	Young (AK)

□ 1724

Mr. THUNE and Mr. HOUGHTON changed their vote from "aye" to "no." Mr. DINGELL changed his vote from "no" to "aye."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2160, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore [Mr. ROGAN]. The gentleman from Washington [Mr. HASTINGS] is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. HALL], pending which I yield myself such time as I may consume.

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Ohio.

Ms. KAPTUR. Mr. Speaker, I appreciate the gentleman yielding before he begins his formal remarks, because it is a little unclear to me and to many of the Members regarding the proceedings that are about to ensue.

May I ask the gentleman a couple of questions to clarify how this rule that we will be debating differs from the rule under which we were operating last evening.

Mr. HASTINGS of Washington. Mr. Speaker, I would just advise the gentlewoman when I finish my remarks, perhaps the questions that she has will be answered. If not, then maybe we can engage in a colloquy at that time. If she allows me to finish my remarks, I will point out what is in the rule, then we can proceed from there.

Ms. KAPTUR. Will the gentleman point out how this is different from the open rule under which we were debating last evening?

Mr. HASTINGS of Washington. Mr. Speaker, if the gentlewoman will let me finish my remarks, then she can ask me, and if there is any question specifically, I will be more than happy to respond.

Ms. KAPTUR. Will the gentleman cover which Members will not be allowed to offer amendments under this rule?

Mr. HASTINGS of Washington. I think that is pointed out in the rule because in the rule all amendments that were preprinted are in order.

Ms. KAPTUR. That were preprinted. But there were several amendments where Members under the open rule would have been permitted to offer their amendments but now they cannot. Will the gentleman list which amendments those are?

Mr. HASTINGS of Washington. There are three amendments that have been made in order. Taking back my time, if the gentlewoman will let me finish my remarks, and then if she has any questions, I will be more than happy to respond.

During consideration of this resolution, Mr. Speaker, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, the Committee on Rules had no intention of reporting a rule on H.R. 2160, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies. Indeed, the Committee on Appropriations requested no rule and brought this bill to the floor as a privileged resolution, open to amendment at any point.

Regrettably the decision by certain Members of this body to engage in an extended series of delaying tactics by offering dilatory motions has required us to offer this rule governing debate on this bill in order that the House may move forward with its legislative business in a timely and responsible fashion.

Accordingly, the Committee on Rules reported last night a modified closed rule. The rule waives clause 2 of rule XXI prohibiting unauthorized and legislative provisions in an appropriations bill and clause 6 of rule XXI prohibiting reappropriations in an appropriations bill against provisions of a bill except as otherwise specified in the rule.

The rule provides that no further amendments shall be in order except those amendments printed before July 22, 1997 in the CONGRESSIONAL RECORD; the amendments printed in the CONGRESSIONAL RECORD numbered 21, 22 and 23; and the amendment by the gentleman from Wisconsin [Mr. OBEY] pending when the Committee of the Whole rose on July 22, 1997.

□ 1730

The rule provides that each amendment made in order shall be considered as read and shall be debatable for 10 minutes except as otherwise specified in section 2 of the rule, equally divided and controlled by a proponent and an opponent.

The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to 5 minutes on any postponed question if the vote follows a 15-minute vote.

The rule also provides that after a motion that the committee rise has been rejected on a day, another such motion on that day may be entertained only if offered by the chairman of the Committee on Appropriations, or the majority leader, or their designee.

The rule provides that after a motion to strike out the enacting words of the bill has been rejected, the Chairman of the Committee of the Whole may not entertain another motion during further consideration of the bill.

Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, let me reiterate what I said in my opening remarks, that the Committee on Rules regrets that the rule now pending before the House is, in fact, before us. But it was necessary, and I urge its passage so that the House may move forward with the important business it must complete prior to the August recess, week after next.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, I want to thank my colleague from Washington, Mr. HASTINGS, for yielding me the time. This is a modified closed rule which will allow for further consideration of H.R. 2160, which is a bill making appropriations for agriculture, rural development, Food and Drug Administration and related agencies in the fiscal year 1998. The rule was opposed by the minority during the Committee on Rules consideration because the rule denies House Members full and fair debate over the bill.

Mr. Speaker, hunger and malnutrition are a constant threat to hundreds of millions of people throughout the world, and despite the riches of our Nation, millions of Americans face hunger on a regular basis. We have made many inroads to reducing hunger and malnutrition, but we can do more. The bill provides funding for lifeline programs that feed hungry people both in the United States and abroad, and I want to commend the members of the Committee on Appropriations for crafting this bipartisan bill which supports adequate funding for many of these programs.

However, I believe this bill can be improved. Therefore I will be supporting an amendment offered by the gentlewoman from North Carolina [Mrs. CLAYTON] and the gentlewoman from Texas [Ms. JACKSON-LEE] to increase funding for the food stamp program, and I also support the amendment offered by the gentleman from Wisconsin [Mr. OBEY] which would increase funding for the WIC Program which provides nutritional food for poor mothers and their children. These two amendments are consistent with the goals of H.R. 1507 which is the Hunger Has a Cure Act of 1997, and I am among the 86 cosponsors of this bipartisan bill to reduce hunger in the United States.

Mr. Speaker, as important as this bill is, the rule we are now considering is unnecessary, it is arbitrary, and it is overly restrictive. The rule is unnecessary because the bill can be brought up without a rule, and, in fact, it was brought up last week for general debate, and the amending process is already underway.

The bill contains no extraneous or controversial riders, it complies with the rules of the House, but the rule is arbitrary because it makes in order only those amendments that were printed in the CONGRESSIONAL RECORD before July 22, with four exceptions. Members were not given the customary advanced notice that the Committee on Rules would restrict the rule. In fact, the Committee on Rules was suddenly called into session late last night, making it difficult for Members to testify about the rule.

This rule is also overly restrictive. By permitting only those amendments printed in the CONGRESSIONAL RECORD, Members may not offer new striking amendments to eliminate what they consider wasteful or unnecessary spending, and this process is an important part of almost all the appropriation bills.

And furthermore, the time limits for debate on the amendments are too restrictive. We all know about the series of events that led up to this rule, but there is another way to avoid the continued breakdown between the majority and the minority parties. I regret that by forcing the rule on the House, the majority party chose not to negotiate but escalate the confrontation. The result is more than denying House Members of both parties full and fair debate over the agriculture appropriation bill. It is a deep mistrust between the parties.

I must oppose the rule, as the Members in the minority on the Committee on Rules will do, and with this statement of opposition I make the plea for leaders of both parties to seek negotiation, not confrontation, in resolving our difficulties. I would urge colleagues to vote against the rule and against the policy to tighten debate restrictions as a response to misunderstandings between the parties.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 4 minutes to the gentleman from Florida [Mr. MILLER].

Mr. MILLER of Florida. Mr. Speaker, I thank the gentleman for yielding this time to me.

I support this rule. I think it is unfortunate we must have a rule at this time, but under the circumstances we need to have this rule. I like to think of this as a very sweet rule, and, speaking about sweet rules, one of the amendments made in order is 30 minutes of debate time on a bill, on an amendment to reform the sugar program in this country. It is only incremental change in the sugar program, but it is very important.

Last year when I tried to present a sugar repeal program, unfortunately I had a very difficult time getting a rule made in order that would allow that amendment under freedom to farm, so I am very pleased that it was made in order today. Even though I prefer more than 30 minutes, I think 30 minutes will give us enough time for both the proponents and the opponents of this program because the sugar program is a very complex program, it is a cartel-type arrangement in this country where the price of sugar is kept at twice the world price of sugar so that in Canada, Mexico, Australia, other countries that have a free market of sugar, sugar sells for half the price it does in the United States.

Mr. Speaker, it has been that way for years. It was not reformed. In the freedom to farm bill last year, there was no change in the sugar program of any significance, just minor changes, and that is unfortunate because last year's freedom to farm bill was truly historic legislation. We really did make some meaningful changes in the farm programs of this country, but because the fact sugar was not changed, we are not getting full credit for all the reforms that were put through last year.

This cartel arrangement works such that we cannot grow enough sugar to supply the demand in the United States so we must import sugar into the United States, and what the cartel is allowed to do with the Federal Government is restrict imports. By restricting the imports, we constrain the supply of sugar, thus the demand kept; demand is greater than the supply, and the price is forced up, and that is what happens with this program.

And what I am proposing in this legislation and this amendment is the incremental change which is only addressing the nonrecourse loan, only the nonrecourse loan which does not go to farmers, it goes to processors, and what it does is it gives the incentive to the Federal Government. Because the nonrecourse nature, the Federal Government does not want to repossess sugar, they want to get paid for their sugar, the sugar loans. So the idea is let us do away with the nonrecourse part of the loan.

The sugar program is a bad program for consumers, it is bad for jobs, it is

bad for taxes, it is bad for the environment, and that is the reason we need to have some incremental changes, not total repeal. It is only addressing the issue of the nonrecourse loan.

The consumers get ripped off because of the cost of almost \$1.4 billion a year, according to a General Accounting Office report. The jobs, because we pay such a high price for sugar, we cannot compete with companies, for example, in Canada. The classic illustration is Bob's Candy in Albany, GA, largest candy cane company in the United States, but the candy canes which use a lot of sugar can be produced a lot cheaper in Canada and a lot of other countries because we have to pay this outrageously high price for sugar.

The taxpayers get hit because of major purchases of food. It is estimated to be \$90 million a year. We pay more as Federal taxpayers because of all the food purchases in the programs in the veterans area and the military and such.

And then we have the environment, environment so dear to us in Florida because of the Everglades, and the impact of the sugar program on the Everglades. What is happening is we are having to buy a lot of the land in the Everglades to help preserve the Everglades. In fact, this year's appropriation bills has \$300 million for the Everglades. A lot of that is used to buy the land of the sugar companies.

And so a recent report from the administration shows we are going to spend an extra \$100 million of taxpayers' money buying land because we have inflated the price, we have inflated the price of that land used for sugar, and we are growing far more sugar than this land can support down there.

I think I look forward to having a full debate on that issue, and I appreciate the opportunity, and I hope my colleagues will support this rule.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, since last Friday, this House has been in a virtual stall on appropriations, and a lot of Members in both parties are asking why. I want to take this opportunity to try to explain why I think that is happening.

On the Committee on Appropriations on each of these bills except one, we have worked out a very effective bipartisan working relationship where we may have had very strong differences of opinion on all of those bills, but with the exception of the legislative appropriation bill, we have had tremendous bipartisan cooperation and goodwill.

The problem is that when those bills have moved out of the Committee on Appropriations, they have then gone to the Committee on Rules, and the Committee on Rules has imposed a partisan straightjacket on the debate for those bills, and it has in the process turned those bipartisan products into partisan war zones.

Now I greatly regret that, but what has happened is that, first of all, the Committee on Rules has systematically attached nongermane amendments to be offered by Republican Members of the House, and at the same time they have systematically then denied alternatives to those amendments when the request was made to put those amendments in order by the Democratic managers of each of those bills.

It happened first to the gentlewoman from Ohio [Ms. KAPTUR], then it happened to the gentleman from Illinois [Mr. YATES], then it happened to the gentlewoman from California [Ms. PELOSI].

Now that unfairness has been recognized on the majority side of the aisle. We have had two Appropriations subcommittee chairs who have told me personally that they prefer to go to the floor with an open rule rather than going to the Committee on Rules because they, in their words, "did not want the Committee on Rules to screw up bipartisan bills." And we have in the case of the Subcommittee on Foreign Operations, Export Financing and Related Programs, for instance, we have had an excellent bipartisan bill produced. We have had the Chair of that foreign operations subcommittee perfectly willing to take a bill to the floor without a rule to avoid the attachment of extremely divisive, nongermane authorization language to that bill, and he has been supported in that effort by those of us on this side of the aisle.

So there have been no differences in working relationships between members of the committee. But because the Committee on Rules has imposed a partisan grip on these bipartisan bills, we have been engaged in a protest to try to get the Committee on Rules to change its mind.

Now instead of responding to that in the way that a majority party has responsibility to respond, by trying to work out those differences, what has happened instead is that the majority leader has evidently chosen to impose an even more draconian rule on this bill. As a result, the gentleman from Massachusetts [Mr. MEEHAN] will be able to debate a major tobacco amendment for exactly 5 minutes. The gentlewoman from Oregon [Ms. FURSE], who has a legitimate amendment, would not be allowed to offer the amendment at all. And the committee will even be precluded from the traditional ability of any Member of this House to strike spending items in the bill. That is so out of line that the Taxpayers for Common Sense oppose the passage of this rule, as I understand it.

Now there is not much we, the minority, can do to persuade those in the Committee on Rules and in the majority party leadership to reconsider this rule. What I would say to each and every rank-and-file Member on both sides of the aisle is that all we are asking is that the Committee on Rules re-

spect the bipartisan work which has been done, night and day, by virtually every subcommittee on the Appropriations Committee. Let us work our way through to common ground. That is what is being prevented by the actions of the Committee on Rules. I deeply regret it, because it turns this House into a needlessly partisan battle zone.

We all have an obligation to our parties to define differences.

□ 1745

But after those differences are defined, we also have an obligation to try to overcome those differences and find a resolution on behalf of all the taxpayers we represent.

In my humble judgment, the Committee on Rules is continuing to get in the way of that obligation and that process. Until it ceases to do that, we will have this needless dragging out of the process, which does neither party any good and certainly does not serve the interest of taxpayers.

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. OBEY] may be allowed to proceed for 5 more minutes.

The SPEAKER pro tempore [Mr. ROGAN]. The time is controlled by the gentleman from Ohio [Mr. HALL].

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would say, a lot of us regret being here for different reasons. I would agree with the gentleman that the Committee on Appropriations has worked very closely in trying to work these things out on a bipartisan basis, but unfortunately, the reason we are here is because of tactics that were by others, starting last Friday, because on a bipartisan basis this bill was supposed to have been done last Friday. Unfortunately, it did not because there were numerous motions to rise, which slowed down the process. We had the same process yesterday.

Because the House wants to complete its business before the August recess, and I know Members on the gentleman's side of the aisle share that, as do we, we felt, regrettably, regrettably, that we had to have a rule, which is one of the responsibilities of the Committee on Rules, in order to expedite the process. But we made every amendment that was offered, that was printed, in order, plus three others.

So I regret, as does the gentleman, that this happens. We just come at it from different ways. We want to expedite the process.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. GOSS], a member of the Committee on Rules.

Mr. GOSS. Mr. Speaker, I thank my distinguished associate, colleague, and friend, the gentleman from Washington, a member of the Committee on Rules, for yielding to me.

Mr. Speaker, I want to confirm that we do not have the unanimous-consent request approved, which would be contrary to the rules. Can the Speaker

confirm that to me, that we do not have a unanimous-consent request for an additional 5 minutes?

The SPEAKER pro tempore. The gentleman is correct.

Mr. GOSS. Obviously, Mr. Speaker, I am here rising in support of this rule. I have listened very closely to what the distinguished gentleman from Wisconsin [Mr. OBEY] has to say.

This rule provides ample debate on all amendments and major issues in the bill that were pending as of yesterday. I realize that leaves a few out. But I want to make sure that Members are clear what has happened to this bill.

Simply, this bill has been hijacked because of a series of unrelated issues and agendas. I think really the underlying question seems to be, who is in the majority in the House of Representatives. I think the majority is trying to operate under bipartisanship, but I do not think the majority is prepared to let the minority hijack the majority.

The majority, in the great spirit of our former colleague, Mr. Natcher, and I should say bipartisan spirit, attempted to bring forward the fiscal year 1998 agriculture appropriations bill without a rule, actually letting Members offer amendments and conduct debate under the standing rules of the House. Some of our newer Members may not be aware of the fact, but actually it is within the regular order of the House to move appropriations bills without a rule. There was a time I guess when it was done. I commend Chairman SKEEN for his hard work in crafting a bill that could come forward under what was standard practice in this House.

Unfortunately, in this case we soon found that some Members had different plans for the proceedings on the floor, unrelated, as it seems, to the bill; that they felt it more important to use the agriculture bill to make points about a larger set of issues that in my view really have nothing to do with the issues in the agriculture spending bill. We heard as much from those Members today during 1-minute remarks on the floor, when one of our colleagues on the other side of the aisle informed us of the "bigger picture relating to the supposed rights of ranking members."

We believe very much in cooperation, goodwill, yes. That is what we are trying to do in a bipartisan way. But special rights that somehow are coming forth for ranking members? This is something that is not provided for. We do not know about that. If there was a proposal to do something like that I would suggest that an offer be made. But again, I do not believe that it is fair to say that some special rights are being denied. It seems to me that perhaps a hijacking of the bill is going on under the false flag, in this case, of bipartisanship.

I must say that I, too, am disappointed that we had to bring the agriculture bill under a rule. I would have preferred not to. It would be my hope

that Members could conduct an open and unstructured debate on the substance of our national agriculture programs in a responsible way, without getting sidetracked or bogged down, allowing for the completion in an orderly manner.

We have tobacco, peanuts, sugar, and a whole bunch of other stuff out there we are all interested in and want to get to, not to say the fact that we have domestic situations and social disorders in our country that are affected by this. It is unfair to keep these people waiting, just like it was unfair to keep the flood victims waiting. Now we are being held up by what is clearly a political problem on the other side of the aisle.

We saw that this could not be the case in the environment, that we have to go forward in a bipartisan manner, so sometimes, as happens in the House, the Committee on Rules, which is provided for in the House rules, properly stepped in to restore order to the process.

Any Members who are offended by the rule must first look to their own decisions and actions over the past several days for an explanation of how we have gotten to this point. The House has work to do on the Nation's business and it is vital business. We are not going to let the deliberative process be derailed. The majority's responsibility is to proceed. Dilatory tactics are provided for in the procedures. We all know it. There are ways to trump dilatory tactics, and there are ways to expose dilatory tactics. Those are provided for as well.

I hope Members are going to support this rule. Regrettably, we had to come forward with it. But the majority is bringing forth this rule to exercise the overall priority responsibility we have not to become bogged down in nonsense by those who disagree with our politics or want to derail our responsible agenda.

Yes, there are casualties, yes, there are consequences for actions, and I would suggest that the gentlemen or the gentlewomen who are left out in the process go to those on the other side of the aisle who have caused us to take this step of restoring order to the rule in this case, because therein lies their problem.

#### PARLIAMENTARY INQUIRY

Ms. KAPTUR. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state her inquiry.

Ms. KAPTUR. When the gentleman from Washington [Mr. HASTINGS] made his opening statement, Mr. Speaker, he granted me the right to ask me a few questions. When he completed his remarks, he called on other Members. I wonder if he would be willing to answer the few questions that I have at this point. Would that be appropriate?

Mr. HASTINGS. Mr. Speaker, I would be more than happy—

The SPEAKER pro tempore. The gentleman will suspend. That is not a

proper parliamentary inquiry. The gentlewoman certainly has the right to make inquiry if the gentleman would yield time when he is controlling time.

At this time, the gentleman from Ohio [Mr. HALL] is recognized.

Ms. KAPTUR. Mr. Speaker, could I ask unanimous consent that the gentleman be allowed to yield time to me or answer my questions at this point?

The SPEAKER pro tempore. The time is already controlled by both the majority and the minority. At this time the gentleman from Ohio [Mr. HALL] is recognized.

Ms. KAPTUR. Would the gentleman yield for a question?

The SPEAKER pro tempore. The gentleman from Ohio [Mr. HALL] is recognized.

Ms. KAPTUR. Mr. Speaker, I feel like I am being silenced, just as our amendments are being silenced here.

The SPEAKER pro tempore. The gentlewoman will suspend.

Ms. KAPTUR. Mr. Speaker, may I make a parliamentary inquiry?

The SPEAKER pro tempore. The gentleman from Ohio [Ms. KAPTUR] will suspend.

Ms. KAPTUR. May I make a parliamentary inquiry?

The SPEAKER pro tempore. The gentleman will suspend.

At this time, the gentleman from Ohio [Mr. HALL] is recognized. Following that, the gentleman from Washington [Mr. HASTINGS] will be recognized. He controls time for the majority. If the gentlewoman wishes to inquire of the gentleman from Washington [Mr. HASTINGS] when he is recognized, she may do so to see if he wishes to yield time.

With that having been said, if the gentlewoman has a legitimate parliamentary inquiry, she may state it at this time.

Ms. KAPTUR. Mr. Speaker, I want the opportunity to engage with the gentleman, and I will wait until after the gentleman from Ohio [Mr. HALL] makes his statement. Then I will ask for the opportunity for the gentleman to speak to answer my questions.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio [Mr. HALL].

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Speaker, I rise in strong opposition to this unfair rule. As a member of the Committee on Rules, I am angry. The Committee on Rules passed this rule late last night with virtually no notice to the members of the Committee on Rules. In fact, I did not really know about it until this morning on my office answering machine, so I was not present, nor were the members of the committee of jurisdiction, the appropriators.

I want my colleagues to know that this is a truly extraordinary rule. Buried within it is language that limits the rights of the minority to move that the committee rise, so Members can no

longer use that procedure to protest the majority's repeated failure to make in order key amendments on majority bills. I am willing to stand corrected, Mr. Speaker, but I recall no time as a majority member on the Committee on Rules when we made a rule that restricted the minority's right to procedural motions.

As the former minority leader, Robert Michel, once said, "Procedure has not simply become more important than substance; it has, through a strange alchemy, become the substance of our deliberations."

The Committee on Rules has fallen into a pattern that does not bode well for the future of the democratic process within this House. This Congress is supposed to operate under procedures that allow for full and fair debate of the legislation we consider, and that permit all sides to be heard. But instead, this committee has repeatedly refused to permit Members, not just Members but ranking members, to offer key amendments. While it may not be written in the rules that all ranking members may have amendments, it has certainly been a courtesy of this House.

This has happened in several instances in this Congress. The Committee on Rules refused to make in order an amendment to the defense authorization bill regarding the B-2 bombers that was presented by the ranking member, the gentleman from California [Mr. DELLUMS]. Indeed, they took off the name of the gentleman from California [Mr. DELLUMS] and stuck it onto another amendment, which he objected to strenuously. They relented later, as I pointed out, but they put his name on.

The gentlewoman from Ohio [Ms. KAPTUR] who is trying so hard to speak here today, the ranking member on the Committee on Appropriations, had an amendment to restore WIC funding which was taken away from her altogether and given to another Member of the House, but later reversed.

The gentleman from Illinois [Mr. YATES], an august Member of this House and a ranking member of the Subcommittee on the Interior, just recently was disallowed offering an amendment to the Interior appropriations bill, where he has served with distinction for a number of years, to restore the NEA funding. And just last week the Committee on Rules refused to make in order an amendment regarding international family planning to the foreign operations appropriations requested by the gentlewoman from California, Ms. NANCY PELOSI, the ranking member on the Subcommittee on Foreign Operations, Export Financing and Related Programs.

This is certainly more, Mr. Speaker, than a pattern. The majority's determination to subvert the right of the minority to offer these amendments is not a matter of procedural maneuvering, it is substantive. It is not merely discourteous, it is undemocratic.

I might add that the majority's actions are profoundly disrespectful to these ranking members, who have earned through their years of service in this institution the right to offer an amendment. But, in the middle of the night last night, the majority apparently decided that even cutting off the minority's ability to offer key amendments to legislation was not enough.

Now with this rule, not only are they limiting the amendments that we can offer, but our right to offer procedural motions on the floor is limited as well. In other words, not only can we not offer amendments that we need, but now we cannot even use the procedural motions to protest the procedures. We are effectively muzzled. I urge my colleagues in the strongest possible terms to defeat this rule.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. CALLAHAN], chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations.

Mr. CALLAHAN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, certainly I have all respect for the gentleman from Washington [Mr. HASTINGS] as well as the gentleman from Florida [Mr. GOSS], as well as all of the members of the Committee on Rules. Sometimes we get so caught up in personalities, and we get so caught up in passions, that we lose sight of where we are going.

I happen to agree with the minority. I think they should have had a different rule. I was there for most of the time during the Committee on Rules. I saw what transpired. I saw what transpired in the back when the Greenwood amendment was presented in a different fashion from the manner in which the gentlewoman from California wanted. So what? Big deal. It disappoints her. So why should she not, as the ranking member of this committee, who has worked in a bipartisan fashion to establish a bill that could be passed by this House, and this is a very difficult bill to handle under the best of circumstances. So I have no quarrel with the gentlemen, and I have no quarrel with them. I think she has a right to be heard on an issue that she is tremendously interested in.

Where are we at this point? We are at a stalemate. Now they are disappointed. They think that they should have the right to be heard. Incidentally, Mr. Speaker, we are talking about 10 minutes. We are not talking about a 3-day debate. She wanted the opportunity to present her amendment and she wanted 10 minutes to talk about it. So, big deal? We have wasted 10 hours because of the controversy.

□ 1800

I have no fault with the Committee on Rules. I do not care when you bring my bill up. There is not a single person in Alabama that is going to lose a sin-

gle night's sleep if we do not pass the foreign aid bill. So I do not care whether we pass one or not.

The administration has sent me a request and they have said, SONNY, why do you not give us about, they wanted \$16 billion, and I crafted a bill and convinced the Democrats that we are not going to give them \$16 billion. We are only going to give them \$12 billion. We are going to cut last year's appropriation. We are going to be below the budget allocation. We are going to be \$4 billion below the President's request. And lo and behold, I think that is a pretty good day's work. The people of Alabama would like that.

So now we are involved in a controversy that I have no jurisdiction over. I sit on the floor sometimes and I listen to the chairmen of the authorizing committees chastising the Committee on Appropriations. What is wrong with you idiots, they say. How in the world can you possibly put authorization language in your bill. Maybe they are right. We ought not be doing that.

So I tried to comply with those requests. And now here I am, faced with the proposition where the chairman of the authorizing committee is insisting that I pass authorization language. I do not want to pass authorization language. I am not an authorizer. I am an appropriator. I think we should be debating the appropriation bill.

There is nothing wrong with this agreement. I do not know of too many Members in the House that are disappointed with the agreement. I think it is going to pass by a pretty good vote. Why do we not bring it up and pass it? If there is that much controversy on my bill, why do we not just bring up my bill without a rule? I do not care whether I have a rule or not.

I respect what you all are doing, respect why you are doing it, but I really do not care. If you do not want to bring my bill up until September, I do not care either. I will go home and tell the people from Alabama that I have not given foreign aid any money. They are not going to throw me out of Congress for that, I will assure you. But we must work in a harmonious situation in order to resolve this dilemma that we are in.

I would suggest that rather than go through all of these dilatory tactics, rather than cause further disharmony between the two parties here in the House, that we bring up the appropriations bills, that we have general debate. There is no problem on the rule or no problem with anybody in the House that I know of on general debate.

We give every Member the opportunity to stand and talk about the bill. And when we get done with general debate we rise. What is wrong with that? I do not know anything wrong with it. I think it certainly would be a response and a favorable response from the minority side if we would do that. It

would be a step in the direction of trying to create some harmony in the House.

But once again, I am a team player. I am a Republican. I am in the majority now. You all have to remember that. You have to understand that. I am going to go along with my leaders on this side.

But I am just here to say to my leaders on this side that I think there might be a smoother way to do this. If we work out a solution to this, if we can just delay all of the controversial part of the foreign operations bill, then that is the way we ought to proceed.

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, let me just say to my good friend, you are talking about an issue that is controversial and it is very, very important before this body. It is a question of the pro-life position and the pro-choice position. It is extremely important to those that carry strong feelings about it on either side. You have those on your side that feel the same.

Now, when it comes to my good friend the gentlewoman from California [Ms. PELOSI], when she came before our committee, see if I can recall exactly what she said, and I would then ask her to go upstairs, if she would care to, and examine the record, but I recall her saying specifically, If, however, the Rules Committee chooses to make legislative amendments in order, I would request that I would be allowed or someone would be allowed, listen to that now, I would be allowed or someone would be allowed to offer a perfecting amendment to the Smith amendment, in particular, again, if Mr. Smith's amendment imposes the Mexico City language.

I recall saying to her specifically, The question of abortion, however, will have to be dealt with. If it is dealt with, if CHRIS SMITH, if he has an amendment that is made in order, certainly there will be an amendment for the alternative viewpoint made in order as well.

The gentlewoman from California [Ms. PELOSI] I recall saying, Thank you, Mr. Chairman.

That is what happened.

Now, we did exactly as we were requested, trying to be as fair as we could to both sides. I have attempted to do that at all times in the Committee on Rules.

Mr. CALLAHAN. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. No, I will not yield right now.

Then the question arises, I happen to be over in my office for the first time all week trying to sign some mail and take care of some constituent business and I hear my good friend, the gentleman from Wisconsin [Mr. OBEY] saying this is the first time ever that the ranking members have ever been denied the ability to offer an amendment.

Well, I have had staff go back half-way through the 103d Congress, during 1993, 1994, and 1995. On the Campaign Finance Reform Act, no ranking Republican was allowed to offer his substitute. On the National Voter Registration Act, no ranking Republican, the gentleman from California [Mr. THOMAS], was allowed to offer his substitute. On the Independent Counsel Reauthorization Act, Mr. Fish, ranking member, was not allowed. And it goes on and on and on.

Mrs. LOWEY. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. No, I will not yield until I am through, and then the gentlewoman can get some time and I will be glad to respond.

We have made a vow in the Committee on Rules for the last 3 years that we will be at all times more fair to the minority than we were ever treated when we were in the minority. I sat there for 10 years suffering under that kind of arrogance and, believe me, nobody feels more for the minority than I do.

I am going to insist that when we have amendments filed with the Committee on Rules that we are going to make in order Republican amendments and we are going to make in order Democrat amendments and try and be as fair as we can. That is my job, even though I am criticized by some in my own party and some in your party for doing that because they want the rules closed down on both sides of the aisle. We are going to try to keep them as open and fair as we possibly can.

I would say to the gentleman, he has a right to stand up here and defend the Committee on Appropriations. But the gentleman knows that this issue on abortion cuts both ways. It is terribly important. I will assure the gentleman it is going to be dealt with in this piece of legislation or this piece of legislation is never going to see the light of day. The gentleman can count on it.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Speaker, I just would like to respond briefly to my good friend and colleague from New York [Mr. SOLOMON], just following up on what the distinguished chairman of our committee has said, rather than go backward, Mr. Speaker, rather than talk about what happened and what did not happen, I think what our distinguished chairman, the gentleman from Alabama [Mr. CALLAHAN] wants to do is move forward. Our bill is ready. The appropriation bill is ready to go on the floor.

The discussions and the differences of opinion have to do with authorizing language. Our distinguished chairman is just saying, we have a bipartisan solution. Let us move it. Let us make that determination now and let us do it. Otherwise, if we do not resolve this

now, we are going to be having great differences of opinion for the next week and not get our business done.

I would just respectfully suggest and request of the chairman that either we bring this bill to the floor without a rule or that the leadership has the responsibility to put a rule together.

I would say to my distinguished friend, the gentleman from Florida [Mr. GOSS], the issue is not the agriculture bill. The issue is that the Republican leadership can put together a rule in a bipartisan way to move the foreign operations bill forward.

Mr. HASTINGS of Washington. Mr. Speaker, may I inquire of the Chair how much time remains on both sides?

The SPEAKER pro tempore (Mr. ROGAN). The gentleman from Washington [Mr. HASTINGS] has 6½ minutes remaining, and the gentleman from Ohio [Mr. HALL] has 16½ minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Speaker, I think it is interesting, anybody that has ever taken their first drag off a cigarette knows they can make you gag, but I never thought that the power of that cigarette would force the entire Committee on Rules to gag the House of Representatives.

It is not just tobacco that is being gagged here today. It is also the tactics that we have seen in just the last 20 minutes or so. We heard a very reasonable presentation by the gentleman from Alabama on what it seems to me is a fair and evenhanded way of handling the kind of disputes that we are elected to have out here on the floor of the House of Representatives.

There is an issue pertaining to abortion. Have it out on the House floor. Let Members talk about what is dividing them. Let us come together and vote on those issues but not have the rules of the House of Representatives turned into mush up in some back room and take away the intent of the individuals that offer amendments.

All this comes down to is not all the yakking that we are hearing on the floor of the House of Representatives. What it comes down to is the fact that the gentlewoman from California [Ms. PELOSI] had an amendment that was changed in the Committee on Rules and was told to her was the same amendment that she had initially offered. That is all that this comes down to.

Mr. SMITH of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. KENNEDY of Massachusetts. No, I will not yield.

I want to come back to what I came down on the House floor to discuss, which is the fact that we have got courageous Members of Congress like the gentleman from Massachusetts [Mr. MEEHAN] and the gentlewoman from New York [Mrs. LOWEY] who have come

out here on this ag bill to try to shut down the tobacco lobby once and for all, to try to deal with the fact that there are 3,000 kids that are going to be addicted to smoking today because we are unable to defeat the tobacco lobby. We are not even able to have a discussion about the power of the tobacco lobby here in the Congress of the United States because if we did so, maybe that would be exposed and maybe we would actually take action to stop smoking in this country, at least stop subsidizing those individuals that are making money off of this product which is killing so many of our children.

It is time that we had an open debate, that we shut down smoking. Stand up for the Members that have the courage to shut down smoking in America.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Speaker, I would just like to say on the record what happened in the Committee on Rules with the gentlewoman from California [Ms. PELOSI] since she is not here to speak for herself. The gentlewoman from California [Ms. PELOSI] did come to the Committee on Rules and say, if the Smith amendment was made in order she would like another amendment made in order. She did not have one of her own. I want to be clear on that. She did not offer an amendment.

However, the gentlewoman from California [Ms. PELOSI] believed that the amendment that would be offered was one put in by the gentleman from Pennsylvania [Mr. GREENWOOD]. The Greenwood amendment was then changed and another amendment was written by the gentleman from California [Mr. CAMPBELL] and I believe the gentleman from New York [Mr. GILMAN] and the gentleman from Illinois [Mr. HYDE], AFTER THE GENTLEWOMAN FROM CALIFORNIA [MS. PELOSI] had left the room.

Recognizing that this was not the amendment the gentlewoman from California [Ms. PELOSI] was talking about, I then requested that the gentlewoman from California [Ms. PELOSI] be allowed to put forth the Greenwood amendment as the ranking member and that was denied.

So I want to have the record perfectly straight on what happened in the Committee on Rules that evening.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding me the time.

I just want to say something, because I have served in this House for 15 years. I say to the gentleman from Washington [Mr. HASTINGS], I never would have done to you what you just did to me.

You said to me that you would yield me time and then you did not do it, as a representative of your committee. It made me extremely angry that you said it to me twice. It is right in that record.

I am the ranking member on this committee. I have to say no to our Democrats that cannot bring amendments up because of the rule that you have filed. I have to say no to the gentlewoman from Oregon [Ms. FURSE]. I have to say no to the gentleman from Maryland [Mr. WYNN]. I have to say no to the gentleman from Ohio [Mr. HALL]. I have to say no to Members who are not going to be allowed to bring their amendments to the floor.

I have a responsibility to the Members on my side just like you have a responsibility to the Members on your side. And I am very angry. I am glad the gentleman from New York [Mr. SOLOMON] is here on the floor because I do not think you are calling the shots here. I think they are being called above your pay grade in this House by the leadership. And when I, as a ranking member, was denied the right to offer my WIC amendment and it was given to the gentleman from California [Mr. RIGGS] on your side of the aisle, he is not even on our committee, and I have the experience, I thought, well maybe I am a woman, they kind of ignored me. Then you did it to the gentleman from Illinois [Mr. YATES] ranking member on the Subcommittee on Interior and now it is being done to the gentlewoman from California [Ms. PELOSI], ranking member on the Subcommittee on Foreign Operations, Export Financing and Related Programs.

□ 1815

So it is a pattern. I can recognize a pattern. And I am embarrassed for the other side of the aisle as a party that they will not allow us to conduct decent debate on this floor. So I stand here today being sorry for them.

I have never said this, maybe three times on the floor in my 15 years have I really felt outraged, and I am sorry that I have to say this to the gentleman in public, but my feelings are hurt. I would never have done to the gentleman what he has just done to me. And it is in that RECORD.

So I want to say to my good friend the gentleman from Illinois [Mr. YATES] and to my good friend the gentlewoman from California [Ms. PELOSI] and now to myself, we are all in the same boat. I do not know whether it is the Speaker, [Mr. GINGRICH], I do not know if it is the gentleman from Texas [Mr. ARMEY], I do not know who is doing this, but we have always brought the Agriculture bill to the floor in a bipartisan way. We have agreed. It has been usually under an open rule. We have had a good debate.

Mr. HASTINGS of Washington. Mr. Speaker, will the gentlewoman yield?

Ms. KAPTUR. I would say to the gentleman that nobody yielded to me; I refuse to yield to him, and that is the

problem with the way things are operating in this House today.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 30 seconds, and I would like to respond to my friend from Ohio.

The gentlewoman asked me very respectfully if she had some questions, if I would respond, and I said, and I remember saying this because I did not want to use my time, that if she wanted to ask me a question on her time I would be more than happy to respond if my remarks, if my remarks regarding the rule did not answer all her questions.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Speaker, I rise in opposition to this rule. I have an amendment that is a very important amendment, very important not only to this House but very important to young people all across America. It is a bipartisan amendment that gives the FDA the resources it needs to effectively inform retailers of what they need to be doing; namely, carding potential consumers of tobacco.

Now, I had 24 Members who were ready, willing, and able to come up and speak on this particular amendment. And after this rule came out of the committee at 11:30 last night, I only get 5 minutes to try to discuss this very, very important and critical amendment.

We are at a critical and historic juncture in this country on tobacco. At the Federal level we have a unique opportunity to protect our children from nicotine addiction and tobacco-related disease. There is no better time to act than now.

Attorneys general from all across America have been negotiating for months an effort to try to give the FDA the regulation and the teeth they need in order to protect America's children. All across America there has been a dialog in the health care community about the effects of tobacco on children, and here we are with the unique opportunity to fund the FDA, to help them protect America's children, and we do not want to debate. We give 5 minutes to an issue of critical importance.

This particular rule is an outrage. No Member in good conscience should vote for this rule.

Mr. HALL of Ohio. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I rise in opposition to this rule which unfairly curtails debate in the House of Representatives.

I have worked hard on the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies and at the full Committee on Appropriations to make a strong case for strong measures to curb smoking amongst our children.

This is about saving lives. That is what the Meehan amendment is all about.

I am disturbed that we are not going to be able to have a full and open debate about this issue in the people's House. The American people deserve to have a debate on the Meehan amendment, a debate about whether or not to back efforts to prevent our kids from using tobacco or, in fact, to provide more money and more commissions to crop insurance agents that is needed.

This is wrong. Our current system clearly is not working to keep cigarettes and chewing tobacco out of the hands of children. Selling tobacco products to minors is illegal in 50 States. Nonetheless, 13 studies showed that children can buy tobacco 67 percent of the time in this country. Three thousand young people under the age of 18 will begin to smoke each day; a third of them will die. They will join the ranks of the 400,000 people who die each year from tobacco related illnesses.

Passing the Meehan amendment, fully funding the anti-tobacco program outlined by the FDA, will ensure that the FDA can enforce laws against tobacco sales to minors, also to conduct the needed outreach and education efforts. This has got to be a priority for all of us.

I urge my colleagues to adopt the Meehan amendment, let us provide the \$34 million to prevent young people from starting to smoke.

Mr. HALL of Ohio. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Speaker, I rise in strong opposition to this closed rule which would severely restrict debate on several very important and complex issues.

I will be offering an amendment shortly to eliminate federally subsidized crop insurance for tobacco. It makes no sense that we spend almost \$200 million each year on programs designed to prevent the terrible health effects of smoking and then we turn around and spend millions of dollars more to encourage the growth of tobacco. My amendment will simply make our tobacco policy more consistent.

Now, whether Members support my amendment or oppose it, this rule denies all of us the right to debate the issue fully.

I will be the first to admit that some of my very good colleagues on both sides of the aisle disagree with me on the issue of tobacco subsidies, and many more of my colleagues agree with me. All of us deserve to be heard on this matter, but few of us will have that opportunity.

Last year we spent more than 7 hours having a thorough debate on these issues. This year we will spend a fraction of that. There are new amendments, new facts, new Members that deserve much more than this rule gives them. I have a list of more than 25 Members that want to speak on this amendment.

Mr. Speaker, I urge all of my colleagues, no matter whether they sup-

port or oppose the amendments, to oppose this restrictive rule. These issues deserve to be heard and to get a full hearing.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, I rise in opposition to this unfair rule. Before stating my reason for that let me just commend, first, the chairman, the gentleman from New Mexico [Mr. SKEEN], because this action is not a part of his doing. He has been fair and open and cooperative, and certainly he has been a friend to the farmer.

I also want to recommend and commend not only the dignity but the depth of our subcommittee's ranking minority member, the gentlewoman from Ohio [Ms. KAPTUR], for her persistence and her independence in standing up to unfairness.

Now, there are differences on the amendment that the gentlewoman from New York [Ms. LOWEY] will put, but I still think we need more time for this. Some of us know that when these amendments are considered, 15 minutes is not sufficient time to hear the pros or the cons.

I happen to believe it is unfair, unfair to take the great decision about whether children should smoke or whether that is a public policy, and address it to the American farmer. That is a cheap shot. The other side may feel good about that, but that is not the way to do public policy. We are really making the most vulnerable people in the society responsible for all the acts we should hold others responsible for.

That amendment will have nothing to do about keeping kids from smoking. It will have absolutely nothing to do about morality or mortality. The death of those 400,000 people should be addressed, but keeping insurance from small tobacco farmers simply means we remove the opportunity for them to make a decent living.

If we want to make it illegal for them to smoke, that is a different question, but my colleagues I cannot let our consciences go unchallenged. We are doing nothing to keep children from smoking. We will do nothing to end the great mortality that is caused by smoking.

So if we are to have this discussion, hopefully we will be fair. The question should be about fairness and access to opportunity.

#### PARLIAMENTARY INQUIRY

Mr. HEFNER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. ROGAN). The gentleman may state his parliamentary inquiry.

Mr. HEFNER. Mr. Speaker, is a motion to adjourn in order at this time?

The SPEAKER pro tempore. No, there has already been one motion pending the rule.

Mr. HEFNER. Was that in this rule that we are considering now, Mr. Speaker?

The SPEAKER pro tempore. That is correct.

Mr. HEFNER. But this rule we are considering now is not passed yet.

The SPEAKER pro tempore. There was previously a motion to adjourn once this rule was brought up, so a motion to adjourn at this time is not in order.

Under clause 4 of rule XI, there may only be one motion to adjourn during the pendency of a rule. There was previously a motion made to adjourn. That motion was defeated. So a motion at this time would not be in order.

Mr. HEFNER. I thank the Chair.

Mr. HALL of Ohio. Mr. Speaker, how much time is remaining on each side?

The CHAIRMAN. The gentleman from Ohio [Mr. HALL] has 5 minutes remaining and the gentleman from Washington [Mr. HASTINGS] has 6 minutes remaining.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Speaker, I rise in strong opposition to this unfair gag rule.

This rule was written in the middle of the night, midway through debate on this bill, and it blocks me and others from offering amendments that the Subcommittee of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations had known about for over a week.

The amendment I planned to offer would have saved the American taxpayer over \$11 million. It would have reduced a sweetheart deal with the Western livestock industry and the animal damage control program. We were told originally that no preprinting of the amendment was required, yet this rule, which happened last night, has barred any amendment that was not preprinted on Monday or earlier. That is great. It means that as of last night at midnight, when Members first heard of this rule, they were already too late to comply with the rule.

The argument for this gag rule is that Members are merely being obstructionist in offering frivolous amendments. Let me tell my colleagues that the American people do not think it is frivolous to save \$11.3 million, their dollars. What is more, it is no secret that I intended to offer this amendment. I had sent out four "dear colleagues" including one bipartisan letter signed by six Members.

The Committee on Rules has chosen to gag me and other Members. I say to my colleagues, if they do not like my amendment, so be it, they are free to vote against it. But under this rule they will not be given the opportunity, the opportunity to save the American taxpayer \$11.3 million. Maybe they would have liked that opportunity.

And I say to my colleagues, if they want to vote "yes" for democracy, vote "no" for this unjust rule.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, for the 17 years that I have been a Member of Congress, abortion advocates have often let the Republican abortion advocates offer pro-abortion amendments. It has played well with the press, it is contrarian, 80 percent of our caucus is pro-life, and the gentleman from Pennsylvania [Mr. GREENWOOD], the gentleman from California [Mr. CAMPBELL] and the gentleman from New York [Mr. GILMAN] certainly have pro-abortion credentials. They were among 7 members of our caucus who voted against the partial-birth abortion ban.

Let me just make it very clear that when the gentlewoman from California [Ms. PELOSI] appeared before the Committee on Rules, and I listened intently to every word she said, she said that either she or someone else would be allowed to offer a perfecting amendment. That someone else is the so-called pro-choice Republicans.

Their perfecting amendment, let it be very clear, absolutely guts the Smith-Hyde-Oberstar-Barcia amendment. It is a totally gutting amendment. So they get their opportunity, which makes me wonder about this whole proceeding that we are watching.

I also wanted to make the point that the gentleman from Alabama [Mr. CALLAHAN] said he does not want to deal with legislative policy language on an appropriations bill. Then do not authorize the appropriation itself. At some point there will have to be a waiver. Let there be no waiver; let the authorizing committees do both, the funding and the policy.

□ 1830

The SPEAKER pro tempore [Mr. ROGAN]. Does the gentleman from Washington [Mr. HASTINGS] seek recognition at this time?

The gentleman reserves his time to close.

Mr. HALL of Ohio. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Ohio [Mr. HALL] has 3 minutes.

Mr. HALL of Ohio. I wanted to inquire of the gentleman from Washington [Mr. HASTINGS], there was a possibility of a change in the rule of an amendment that could be offered to the rule; and actually, that is what I have been kind of waiting for, to see if they are willing to make the change. Because I am willing to speak to the amendment and, at least from my portion, to accept on this particular amendment a change in the rule. It is very necessary. But I am waiting for them to make the motion.

Mr. HASTINGS of Washington. Mr. Speaker, we are waiting for this to be drafted. Does the gentleman have some time that maybe perhaps he would like to yield.

Mr. HALL of Ohio. Mr. Speaker, I would be glad to explain it. I yield myself such time as I may consume.

The problem with the rule and the situation that we have today, when we

had the rule on the floor, originally the Agriculture appropriations bill, the gentleman from California [Mr. COX] had an amendment, and I had a perfecting amendment to his amendment. His amendment, I felt, went way too far, because what would happen is it would cut off all humanitarian aid to North Korea.

I amended that, with his support, saying that no food aid, no humanitarian aid should go to the government or to the military of North Korea but do not deny, do not deny humanitarian aid to the people, the innocent people. These are always the people that get the short end of the stick.

So, as a result of that, as a result of passing this modified closed rule, I am prohibited from offering a perfecting amendment to the amendment of the gentleman from California [Mr. COX]. Therefore, what we will have is an amendment that really does injustice and great harm to a lot of innocent people that are now facing famine. And this is the problem with the rule that we now have before us.

So what is needed is a change in the rule. It is my understanding that the gentleman from New York [Mr. SOLOMON] or the gentleman from Washington [Mr. HASTINGS] was going to offer a change in the rule that they could offer an amendment to change the rule to accept a compromise amendment from Cox-Hall, which would be acceptable to me. That is about the best explanation I can give.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. HALL of Ohio. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I would just say to the gentleman, he has explained exactly what we would like. We would just as soon do it by unanimous consent.

Also, the gentleman from Wisconsin [Mr. OBEY] had mentioned to me that there was a possibility of a Wynn compromise as well, and I believe that they would be willing to accept that over here, too, either with a unanimous consent request. So I just offer that to the gentleman in the spirit of comity and trying to cooperate.

Mr. HEFNER. Mr. Speaker, will the gentleman yield?

Mr. HALL of Ohio. I yield to the gentleman from North Carolina.

Mr. HEFNER. Mr. Speaker, for Members that are not privy to what my colleagues are doing, that are not familiar with the Committee on Rules, what have you, is there any way that the membership watching in their offices, or wherever, might know what these amendments are going to be, what they are going to say that you are going to amend here on floor?

I have never seen this happen before, a rule amended on the floor. Could we know what is in the Cox amendment and the one so-called Wynn amendment. I do not know what they are.

Mr. HALL of Ohio. Mr. Speaker, do we have any time remaining?

The SPEAKER pro tempore. The gentleman from Ohio has 15 seconds remaining.

Mr. HALL of Ohio. Mr. Speaker, I ask unanimous consent to be able to speak for 5 additional minutes on this. Can I do that?

The SPEAKER pro tempore. It would be appropriate for the gentleman to ask for both sides to have an additional 5 minutes.

Mr. HALL of Ohio. Mr. Speaker, I ask unanimous consent that both sides have an additional 5 minutes.

The SPEAKER pro tempore. Does the gentleman from Washington yield for that purpose?

Mr. HASTINGS of Washington. Mr. Speaker, I yield to the gentleman from Ohio.

The SPEAKER pro tempore. Without objection, the gentleman from Washington [Mr. HASTINGS] and the gentleman from Ohio [Mr. HALL] each will be recognized for an additional 5 minutes.

Mr. HEFNER. Mr. Speaker, will the gentleman yield?

Mr. HALL of Ohio. I am glad to yield to the gentleman from North Carolina.

PARLIAMENTARY INQUIRY

Mr. HEFNER. Mr. Speaker, I would like to know, I have not heard what is in these amendments. This is like we are marking a bill here and somebody has offered an amendment nobody has seen. It has not been printed. I would just like to know what it entails. I am pretty sure that a lot of Members that are watching would like to know what we are doing here.

Mr. HALL of Ohio. There is an amendment that has been printed in the RECORD by the gentleman from California [Mr. COX]. That is, there is an amendment and it is amended by myself. I believe the amendment is with the Clerk at this particular time. I have explained the amendment.

What it has to do with is cutting off humanitarian aid to North Korea. That has already been printed in the RECORD Except for aid going to the military. There will be no humanitarian aid going to the military of North Korea, but humanitarian aid will not be cut off to the other people.

All I am trying to do is get that amendment in order so that we will have a chance once the bill comes up to debate it.

Mr. HEFNER. I do not know if I want to make a parliamentary inquiry or if we need more than 5 minutes here. Because if we are going to correct this rule and allow amendments that are not in the rule, why do we not have several amendments here that allow some of these and clear up some of the things the gentleman from Alabama [Mr. CALLAHAN] was talking about where we can go ahead with all of this and get it over with and not waste a lot of time here.

It seems to me we are amending a rule here and nobody knows what we are doing. I do not know what is in the amendment. Was not the amendment

that the gentleman wanted to offer, was it not made in order by the rule and we are correcting that now? Is that what we are doing? Was Mr. COX not in order?

Mr. COX of California. Mr. Speaker, will the gentleman yield?

Mr. HALL of Ohio. I yield to the gentleman from California.

Mr. COX of California. My amendment is in order under the rule.

Mr. HEFNER. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will suspend.

Mr. HEFNER. The gentleman's amendment is not in order.

The SPEAKER pro tempore. The gentleman will please suspend.

The Chair reminds all Members that the gentleman from Ohio [Mr. HALL] controls time. Does the gentleman from Ohio wish to yield to the gentleman from California?

Mr. HALL of Ohio. I am glad to yield to the gentleman from California [Mr. COX].

Mr. COX of California. I thank the gentleman for yielding just to clarify a point that I think my colleague has already made, and that is that the Cox amendment is made in order by this rule unamended, but that the minority and the concerns especially represented by the gentleman from Ohio [Mr. HALL] have offered a way to improve that that the author of the amendment accepts.

And so, out of deference to the minority, I would be happy, on the grounds that it would improve the amendment that is already made in order by the rule, based on suggestions from the other side, to accept a unanimous consent request to make that improved amendment in order. If that unanimous consent request is not accepted, then I would just go ahead and offer my amendment as permitted by the rule, which, to my understanding, is less acceptable to the minority.

Mr. HEFNER. This amendment is not in order until this rule passes.

The SPEAKER pro tempore. The Chair again reminds all Members that the gentleman from Ohio [Mr. HALL] controls the time.

Mr. HALL of Ohio. I would say to the gentleman from North Carolina [Mr. HEFNER] the Cox amendment is in order. My amendment to his is not in order. The only way for my perfecting amendment to make his amendment acceptable to most of us on this side is for them to change the rule.

This is a very awkward situation. It is terribly awkward. Because what we are doing is amending the rule on the floor of the House, and the problem is if we do not amend the rule at this particular time, what my concern is is that with Mr. COX's original amendment, which is in order, cuts off all aid to North Korea, and that goes against everything that this country is all about. With Ethiopia, Angola, we never cut off humanitarian aid to innocent people. We cut off aid to the military.

So that is what our compromising amendment does. Both sides are caught in a very awkward situation. And if we do not pass this amendment, what could happen is a very odious thing, a lot of innocent people will lose out on medicines and foods.

Mr. HEFNER. Mr. Speaker, will the gentleman yield?

Mr. HALL of Ohio. I yield to the gentleman from North Carolina.

Mr. HEFNER. Well, if you can do that with the Cox amendment, why can you not amend it to allow these other Members to offer their amendment? It does not make any sense to me. It seems that this is something that you can do, you can tie that to the Cox amendment. I just do not understand the procedure.

The SPEAKER pro tempore. The time of the gentleman from Ohio [Mr. HALL] has expired.

#### PARLIAMENTARY INQUIRIES

Mr. OBEY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. OBEY. Mr. Speaker, it is my understanding that there is an effort being made or that there is an intention on the part of the chairman of the Committee on Rules to offer an amendment to the rule accommodating the amendment that the gentleman from Ohio was seeking and that there will be a rollcall on that issue followed by an effort on the part of the chairman of the committee to offer a unanimous consent request to allow the Wynn amendment to be made in order.

Could I ask, what is the proper method by which the gentleman can explain that to the House so Members know what they are voting on and we might be permitted to ask a couple questions of him about that?

The SPEAKER pro tempore. There is still debate time remaining with the gentleman from Washington [Mr. HASTINGS]. However, there is no amendment to the rule pending before the House at this time. The Chair is not privy of any negotiations between the Members and the parties.

Ms. FURSE. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman from Oregon will state her inquiry.

Ms. FURSE. Would the Chair tell me how I might go about getting a unanimous consent request so that I too could have my amendment made possible?

The SPEAKER pro tempore. The manager of the rule must yield for a unanimous consent.

The gentleman from Washington [Mr. HASTINGS] is recognized.

#### AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Speaker, I hope we can have closure on this. Mr. Speaker, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. HASTINGS of Washington:

Page 2, line 17, strike "and" and all that follows through "1997" on line 19, and insert in lieu thereof: "the amendment by Representative OBEY of Wisconsin pending when the Committee of the Whole rose on July 22, 1997, and one amendment by Representative COX of California regarding assistance to the Democratic People's Republic of Korea".

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

This amendment cosponsored by the gentleman from California [Mr. COX] and the gentleman from Ohio [Mr. HALL] is intended to be a substitute for the Cox amendment published in the CONGRESSIONAL RECORD on July 15, 1997. It is a compromise fashioned by the gentleman from California [Mr. COX] and the gentleman from Ohio [Mr. HALL] to address the critical issue of food aid delivery for North Korea.

I stress that it is a bipartisan amendment, and I urge its adoption.

Mr. OBEY. Mr. Speaker, will the gentleman yield for a question?

Mr. HASTINGS of Washington. I am happy to yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I ask that question so that the Members might understand what is about to transpire. Is it correct that the gentleman is offering this amendment, that this amendment will be subjected to a rollcall vote, and that after the vote on that amendment, the gentleman from New York, or the bill manager, I am not sure which, will then offer a unanimous-consent request to also place in order the Wynn amendment? Could I ask if that is the understanding of the gentleman from New York? I do not know if there is general concurrence in that or not.

Mr. HASTINGS of Washington. Mr. Speaker, I would just say to the gentleman that those negotiations are going on as we speak.

Mr. Speaker, if I may, to indulge the gentleman, since we have time, I yield 3 minutes to my friend, the gentleman from Colorado [Mr. MCINNIS]. And maybe at the end of that time, we can have closure on this.

□ 1845

Mr. MCINNIS. Mr. Speaker, there are a few things that I think we should clarify. I am glad to see that the floor has settled down. It seems that both sides here are attempting to negotiate. But I do think it is important to discuss what the function is of the Committee on Rules. The primary function of the Committee on Rules is to manage bills on the House floor.

In doing that, of course we did have a Committee on Rules when the Republicans were in the minority, and that was run by the Democratic Party. In fact, during that period of time when the minority, which was the Republicans, had a motion to recommit, they were not allowed at times to offer that motion to recommit with instructions. We changed that. The Republicans changed that because we wanted to see more fairness on the floor, more openness on the floor.

When we took office, what we did is we always guaranteed the minority a motion to recommit with instructions. What does that mean? That means that the minority has the right to be heard. Under the type of governmental system that we have in this country, the majority has the right to rule, but the minority has a right to be heard, and that is exactly what that motion to recommit does.

We have heard from a couple of people, frankly from the State of Massachusetts, who complained about the fact that the tobacco amendment was not going to be heard. In fact, it is going to be heard. It has got as much time or more time than any other amendment that is going to be on there. But the fact is that both of these gentlemen on a continuous basis talked about how important it is that we immediately hear the tobacco amendment, that we not be evasive, that we put this to the forefront, and then they continue to vote for motions to adjourn.

The reason we went to the Committee on Rules last night is because we in good faith, the Committee on Rules, determined not to put a rule onto this bill, go ahead, put the bill out on the floor and let it run its course. Well, what happened is we ran into delay tactic after delay tactic. I hope now that these negotiations calm the floor down, allow us to pass this rule and allow us to get on with the business of the House, which is the business of the people that we represent. This time that we are wasting is precious time that we cannot recover.

We have a lot of major issues, including the tax cut that is sitting out there, the children's tax credit, the education tax credit, the capital gains reduction, the death tax exemption, raising up the exemption. Instead of addressing issues like that, we see people up here continuing to delay and delay. I do not know how many motions we have had to adjourn or motions to rise, which of course takes a half-hour to an hour each time that is made and a vote is requested upon it.

It is important for us to remember that when that Committee on Rules met last night, it was not because it was a regularly scheduled Committee on Rules. It is because we were forced by a few individuals who wanted to do delay, delay, delay, and that is why we met, to bring some order to the floor. This Committee on Rules meeting was not held in the middle of the night, not at all. It obviously was an open meeting. The minority had their chairman up there. In fact, we sat in our chairs up there waiting for 30 or 40 minutes for the printing process to be done. So last night when our committee met, it was forced to meet.

I used to be a police officer. I would see somebody speeding. Most of the time if the speeding was not egregious, I would give a warning. Time after time after you give somebody a warning, at some point you have got to do

something. In this case, you give them a ticket, and then the person that gets the ticket is complaining.

Here is what has happened in the last few days. We have warned and warned this body. The Committee on Rules has determined that the business of this House must move forward. The American people are demanding we do something, quickly, on this tax cut. We need to move on these appropriations bills. It is important for the lives of the people that we represent. And if some Members out there continue to stall and stall and stall, we will have to adjourn, we will have to go upstairs to the Committee on Rules, have an open committee hearing where the minority is represented as well as the majority, put out a rule which manages this bill, and that is exactly what happened. It is not unfair. It is certainly not unnecessary. It became necessary as the result, frankly, of abuses that we observed here on the floor.

Now, that meeting, and I want to stress this because it came up several times. I heard that somebody called it the mesh meeting. Somebody called it in a dark room in the Capitol. Somebody said it was unannounced. One member of the committee itself said, we wondered why they were not there, they said they did not get notice. They sure did get notice. Everybody on the Committee on Rules got notice. It is necessary.

Again, I want to soften my comments by saying that the comity that we are now seeing on the floor, frankly it is about time. The Republicans feel it is very important for us to move forward with this business. The Republicans feel very strongly about this tax cut that we want to deliver to the American people. In order for us to deliver a tax cut to put money back into the taxpayers' pocket, we need to get on with the House's business. I urge my colleagues to support the rule.

Mr. HASTINGS of Washington. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment.

The SPEAKER pro tempore (Mr. ROGAN). The question is on ordering the previous question on the amendment.

Does the gentleman also move the previous question on the resolution?

Mr. HASTINGS. No; just on the amendment.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 269, nays 160, not voting 5, as follows:

[Roll No. 305]

YEAS—269

Aderholt	Gilcrest	Ortiz
Archer	Gillmor	Oxley
Armey	Gilman	Packard
Bachus	Goode	Pappas
Baker	Goodlatte	Parker
Baldacci	Goodling	Pastor
Ballenger	Goss	Paul
Barr	Graham	Paxon
Barrett (NE)	Granger	Pease
Bartlett	Greenwood	Peterson (PA)
Bass	Gutknecht	Petri
Bateman	Hall (OH)	Pickering
Bereuter	Hamilton	Pitts
Bilbray	Hansen	Pombo
Bilirakis	Hastert	Pomeroy
Blagojevich	Hastings (WA)	Porter
Bliley	Hayworth	Portman
Blunt	Hefley	Pryce (OH)
Boehlert	Herger	Quinn
Boehner	Hill	Radanovich
Bonilla	Hilleary	Rahall
Bono	Hobson	Ramstad
Boswell	Hoekstra	Redmond
Brady	Holden	Regula
Brown (FL)	Horn	Riggs
Bryant	Hostettler	Riley
Bunning	Houghton	Rivers
Burr	Hoyer	Rogan
Burton	Hulshof	Rogers
Buyer	Hunter	Rohrabacher
Callahan	Hutchinson	Ros-Lehtinen
Calvert	Hyde	Roukema
Camp	Inglis	Royce
Campbell	Istook	Rush
Canady	Jackson (IL)	Ryun
Cannon	Jackson-Lee	Salmon
Carson	(TX)	Sanford
Castle	Jenkins	Sawyer
Chabot	Johnson (CT)	Saxton
Chambliss	Johnson (WI)	Scarborough
Chenoweth	Johnson, Sam	Schaefer, Dan
Christensen	Jones	Schaffer, Bob
Coble	Kanjorski	Sensenbrenner
Coburn	Kasich	Sessions
Collins	Kelly	Shadegg
Combest	Kim	Shaw
Cook	King (NY)	Shays
Cooksey	Kingston	Shimkus
Cox	Klink	Shuster
Crane	Klug	Skeen
Crapo	Knollenberg	Smith (MI)
Cubin	Kolbe	Smith (NJ)
Cummings	LaHood	Smith (OR)
Cunningham	Largent	Smith (TX)
Davis (FL)	Latham	Smith, Linda
Davis (VA)	LaTourette	Snowbarger
Deal	Lazio	Snyder
DeGette	Leach	Solomon
Delahunt	Lewis (CA)	Souder
DeLay	Lewis (KY)	Spence
Dellums	Linder	Spratt
Diaz-Balart	Livingston	Stearns
Dickey	LoBiondo	Stump
Dicks	Lucas	Stupak
Doolittle	Manzullo	Sununu
Doyle	Markey	Talent
Dreier	McCollum	Tauzin
Duncan	McCrery	Taylor (NC)
Dunn	McDade	Thomas
Ehlers	McHugh	Thornberry
Ehrlich	McInnis	Thune
Emerson	McIntosh	Tiahrt
English	McKeon	Trafficant
Ensign	McKinney	Upton
Everett	Metcalf	Velazquez
Ewing	Mica	Vento
Fawell	Miller (FL)	Walsh
Foglietta	Molinari	Wamp
Foley	Mollohan	Waters
Forbes	Moran (KS)	Watkins
Ford	Morella	Watts (OK)
Fowler	Murtha	Weldon (FL)
Fox	Myrick	Weldon (PA)
Frank (MA)	Nadler	Weller
Franks (NJ)	Nethercutt	White
Frelinghuysen	Neumann	Whitfield
Galleghy	Ney	Wicker
Ganske	Northup	Wise
Gekas	Norwood	Wolf
Gibbons	Nussle	Young (FL)

NAYS—160

Abercrombie	Baesler	Bentsen
Ackerman	Barcia	Berman
Allen	Barrett (WI)	Berry
Andrews	Becerra	Bishop

Blumenauer	Hinchev	Olver
Bonior	Hinojosa	Owens
Borski	Hooley	Pascrell
Boucher	Jefferson	Payne
Boyd	John	Pelosi
Brown (CA)	Johnson, E. B.	Peterson (MN)
Brown (OH)	Kaptur	Pickett
Capps	Kennedy (MA)	Poshard
Cardin	Kennedy (RI)	Price (NC)
Clay	Kennelly	Rangel
Clayton	Kildee	Reyes
Clement	Kilpatrick	Rodriguez
Clyburn	Kind (WI)	Roemer
Condit	Kleccka	Rothman
Conyers	Kucinich	Roybal-Allard
Costello	LaFalce	Sabo
Coyne	Lampson	Sanchez
Cramer	Lantos	Sanders
Danner	Levin	Sandlin
Davis (IL)	Lewis (GA)	Schumer
DeFazio	Lipinski	Scott
DeLauro	Lofgren	Serrano
Deutsch	Lowey	Sherman
Dingell	Luther	Sisisky
Dixon	Maloney (CT)	Skaggs
Doggett	Maloney (NY)	Skelton
Dooley	Manton	Slaughter
Edwards	Martinez	Smith, Adam
Engel	Mascara	Stabenow
Eshoo	Matsui	Stenholm
Etheridge	McCarthy (MO)	Stokes
Evans	McCarthy (NY)	Strickland
Farr	McDermott	Tanner
Fattah	McGovern	Tauscher
Fazio	McHale	Taylor (MS)
Filner	McIntyre	Thompson
Flake	McNulty	Thurman
Frost	Meehan	Tierney
Furse	Meek	Torres
Gejdenson	Menendez	Towns
Gephardt	Millender-	Turner
Gonzalez	McDonald	Visclosky
Gordon	Miller (CA)	Watt (NC)
Green	Minge	Waxman
Gutierrez	Mink	Wexler
Hall (TX)	Moakley	Weygand
Harman	Moran (VA)	Woolsey
Hastings (FL)	Neal	Wynn
Hefner	Oberstar	Yates
Hilliard	Obey	

## NOT VOTING—5

Barton	Schiff	Young (AK)
Pallone	Stark	

□ 1914

Messrs. COYNE, BLUMENAUER, and DAVIS of Illinois changed their vote from "aye" to "no."

Messrs. RILEY, DELLUMS, FRANK of Massachusetts, and VENTO, Ms. JACKSON-LEE of Texas, Messrs. BOSWELL, FORD, CUMMINGS, KANJORSKI, SMITH of Texas, DELAHUNT, DICKS, HOYER, Mr. JACKSON of Illinois, and Ms. RIVERS changed their vote from "no" to "aye."

So the previous question was ordered.

The result of the vote was announced as above recorded.

MODIFICATION TO THE AMENDMENT OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that the amendment on which the previous question has just been ordered be modified in the form that I have placed at the desk and be considered adopted.

The SPEAKER pro tempore (Mr. ROGAN). The Clerk will report the amendment, as modified.

The Clerk read as follows:

Amendment, as Modified, Offered by Mr. HASTINGS of Washington: Page 2, line 17, strike "and" and all that follows through "1997" on line 19, and insert in lieu thereof: "the amendment by Representative Obey of Wisconsin pending when the Committee of the Whole rose on July 22, 1997, one amendment by Representative Cox of California regarding assistance to the Democratic Peo-

ple's Republic of Korea, and the amendment printed in the Congressional Record and numbered 35 pursuant to clause 6 of rule XXIII".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the resolution, as amended.

There was no objection.

The SPEAKER pro tempore. The question is the resolution, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. BONIOR. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 226, noes 202, not voting 6, as follows:

[Roll No. 306]

AYES—226

Aderholt	Foley	McCollum
Archer	Forbes	McCrery
Armey	Fowler	McDade
Bachus	Fox	McHugh
Baker	Franks (NJ)	McInnis
Balleger	Frelinghuysen	McIntosh
Barr	Galleghy	McKeon
Barrett (NE)	Ganske	Metcalf
Bartlett	Gekas	Mica
Bass	Gibbons	Miller (FL)
Bateman	Gilchrest	Molinari
Bereuter	Gillmor	Moran (KS)
Bilbray	Gilman	Morella
Bilirakis	Goode	Myrick
Biley	Goodlatte	Nethercutt
Blunt	Goodling	Neumann
Boehlert	Goss	Ney
Boehner	Graham	Northup
Bonilla	Granger	Norwood
Bono	Greenwood	Nussle
Brady	Gutknecht	Oxley
Bryant	Hansen	Packard
Bunning	Hastert	Pappas
Burr	Hastings (WA)	Parker
Burton	Hayworth	Paul
Buyer	Hefley	Paxon
Callahan	Herger	Pease
Calvert	Hill	Peterson (PA)
Camp	Hilleary	Petri
Campbell	Hobson	Pickering
Canady	Hoekstra	Pickett
Cannon	Horn	Pitts
Castle	Hostettler	Pombo
Chabot	Houghton	Portman
Chambliss	Hulshof	Pryce (OH)
Chenoweth	Hunter	Quinn
Christensen	Hutchinson	Radanovich
Coble	Hyde	Ramstad
Coburn	Inglis	Redmond
Collins	Istook	Regula
Combest	Jenkins	Riggs
Cook	Johnson (CT)	Riley
Cooksey	Johnson, Sam	Rogan
Cox	Jones	Rogers
Crane	Kasich	Rohrabacher
Crapo	Kelly	Ros-Lehtinen
Cubin	Kim	Roukema
Cunningham	King (NY)	Royce
Davis (VA)	Kingston	Ryun
Deal	Klug	Salmon
DeLay	Knollenberg	Sanford
Diaz-Balart	Kolbe	Saxton
Dickey	LaHood	Scarborough
Doolittle	Largent	Schaefer, Dan
Dreier	Latham	Schaffer, Bob
Duncan	LaTourrette	Sensenbrenner
Dunn	Lazio	Sessions
Ehlers	Leach	Shadegg
Ehrlich	Lewis (CA)	Shaw
Emerson	Lewis (KY)	Shays
English	Linder	Shimkus
Ensign	Livingston	Shuster
Everett	LoBiondo	Skeen
Ewing	Lucas	Smith (MI)
Fawell	Manzullo	Smith (NJ)

Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent

Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Trafficant
Upton
Walsh
Wamp
Watkins

Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

## NOES—202

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummins
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt

Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchev
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleccka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meek
Menendez
Millender-
McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan

Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

## NOT VOTING—6

Barton	Porter	Stark
Pallone	Schiff	Young (AK)

□ 1934

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2203, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 105-198) on the resolution (H. Res. 194) providing for consideration of the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. HASTINGS of Washington, Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution (H. Res. 196) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 196

*Resolved*, That the following Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

Committee on Banking and Financial Services: Mr. Redmond.

Committee on National Security: Mr. Redmond.

Committee on Small Business: Mr. Pitts.

Committee on Veterans' Affairs: Mr. Redmond.

The resolution was agreed to.

A motion to reconsider was laid on the table.

URGING MEMBERS TO VOTE AGAINST THE RULE ON THE AGRICULTURE APPROPRIATIONS BILL

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, I rise as the ranking member on the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations, which means I am the lead Democrat, and to protest the action of the Committee on Rules last night in putting a tourniquet on the debate that was to have occurred on our bill.

Yesterday we had that bill on the floor, and generally it comes to the floor under an open rule. I might remind the membership that agriculture is America's most important industry. It provides our most positive balance-of-trade figures, and is an exceedingly important bill to our farmers, our food processors, our people involved in the fiber industry, the forestry industry, the fuel industry. This is not an unimportant bill.

Yet, because of anger for other reasons, for other reasons, because Mem-

bers like the gentlewoman from California [Ms. PELOSI], the gentleman from Illinois [Mr. YATES], and myself, the gentlewoman from Ohio [Ms. KAPTUR], as ranking members of our respective committees were summarily blocked in prior weeks from bringing our amendments to the floor on other bills, we are now being punished by putting a tourniquet on the debate on the agriculture bill today.

As ranking members, we have not only been blocked from offering the amendments, but our amendments have then been given to Members of the other party. This is outrageous. In past years, I can assure you agriculture appropriations bills moved to the floor with bipartisan support. They were not the victim of "gag" rules. They were not used to send messages to the minority that they better behave or be punished.

So now, our agriculture bill is being forced to be debated under such limited time, that key provisions will be given short shrift, not even allowing time to explain their full meaning to the Members.

For example, on the important subject of youth tobacco prevention, the time allowed for debate is 10 minutes—to be divided 5 minutes on each side. On important commodity programs on which our families' livelihood depend—sugar, peanuts, tobacco—debate will be limited to 15 minutes per side. This is ludicrous.

Further, the rule retroactively denies many Members the ability to offer their amendments—for example, Representative FURSE of Oregon on Animal Damage Control; Representative WYNN of Maryland on Civil Rights Enforcement; Representative HALL of Ohio on food assistance to Korea; and Representative MEEHAN of Massachusetts is allotted 5 minutes only to discuss the important Youth Tobacco Prevention initiative.

This is not the way to legislate.

I urge my colleagues to vote "no" on the rule. It truly is unfair.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. STARK (at the request of Mr. GEPHARDT), for today and the balance of the week, on account of a family medical emergency.

Mr. BARTON of Texas (at the request of Mr. ARMEY), for today after 7 p.m. and 8:30 p.m. on July 24, on account of attending a funeral.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. TIERNEY) and to include extraneous matter:)

Mrs. MALONEY of New York.

Ms. ESHOO.

Mr. PRICE.

Mr. RAHALL.

Mr. MILLER of California.

Mr. BLAGOJEVICH.

Mr. REYES.

Mr. HAMILTON.

Mr. VENTO.

Mr. DAVIS of Illinois.

Mr. LANTOS.

Mr. OBEY.

Mr. FATTAH.

Mr. STARK.

Mr. KUCINICH.

Mr. UNDERWOOD.

Mr. BERMAN.

Mr. STRICKLAND.

(The following Members (at the request of Mr. WALSH) and to include extraneous matter:)

Mr. SHAW.

Mr. BASS.

Mr. PITTS.

Mr. FAWELL.

Mr. GILMAN.

Mr. LIVINGSTON.

Mr. HOUGHTON.

Mr. BOB SCHAFFER of Colorado.

Mrs. KELLY.

Mr. LEWIS of California.

Mr. DREIER.

ADJOURNMENT

Mr. WALSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 40 minutes p.m.) the House adjourned until tomorrow, Thursday, July 24, 1997, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4321. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Brucellosis in Cattle; State and Area Classifications; Iowa [Docket No. 97-036-1] received July 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4322. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Brazil, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

4323. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revised Requirements for Designation of Reference and Equivalent Methods for PM 2.5 and Ambient Air Quality Surveillance for Particulate Matter [AD-FRL-5725-6] (RIN: 2060-AE66) received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4324. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's "Major" final rule—National Ambient Air Quality Standards for Particulate Matter [AD-FRL-5725-2] (RIN: 2060-AE66) received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4325. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's "Major" final rule—National Ambient Air Quality Standards for Ozone [ADA-95-58; FRL-5725-3] (RIN: 2060-AE57) received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.